

State of Arizona
House of Representatives
Forty-fifth Legislature
First Regular Session
2001

CHAPTER 114

HOUSE BILL 2075

AN ACT

AMENDING SECTIONS 28-8521, 28-8527, 41-1531 AND 41-1533, ARIZONA REVISED STATUTES; REPEALING SECTION 28-8528, ARIZONA REVISED STATUTES; AMENDING LAWS 1999, CHAPTER 262, SECTION 11; RELATING TO MILITARY AIRPORTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 28-8521, Arizona Revised Statutes, is amended to
3 read:

4 28-8521. Joint powers airport authority; agreement; board of
5 directors

6 A. In connection with the closing of a military facility AFTER 1990,
7 two or more cities, towns, Indian tribes or counties may enter into an
8 agreement to establish a joint powers airport authority. A board of
9 directors shall operate and govern the airport authority. The board of
10 directors is composed of persons appointed by the governing body of the
11 cities, towns, Indian tribes or counties that are members of the airport
12 authority.

13 B. The agreement pursuant to this section shall specify the following:

14 1. The property to be owned and operated by the airport authority.

15 2. The appointment of members to the board of directors by each member
16 of the airport authority.

17 3. The voting method of the board of directors, including whether the
18 board members will have weighted or equal voting.

19 4. The method for adoption of the airport authority's annual operating
20 budget by the members of the airport authority and the proportion of the
21 airport authority's annual operating budget to be provided by each member,
22 including any adjustment to the proportion if a member withdraws from the
23 airport authority or another city, town, Indian tribe or county subsequently
24 joins the airport authority.

25 5. Termination of the airport authority and the disposal of property
26 and indebtedness on the termination of the airport authority.

27 6. Procedures for withdrawals from and admissions to membership in the
28 airport authority.

29 7. Amendments or modifications to the agreement.

30 8. The airport authority's fiscal year.

31 9. Other terms as the members of the airport authority deem necessary,
32 appropriate or convenient.

33 C. The chairperson of the board of directors of the airport authority
34 shall annually present a report of the activities of the airport authority
35 to the house of representatives ways and means committee and the senate
36 finance committee or their successor committees.

37 Sec. 2. Section 28-8527, Arizona Revised Statutes, is amended to read:

38 28-8527. Joint powers airport authority; powers

39 A. Acting through its board of directors, the joint powers airport
40 authority may:

41 1. Own, operate and maintain property and facilities related to
42 aviation, air navigation and aerospace.

43 2. Own and lease property and facilities that are not related to
44 aviation, air navigation and aerospace.

- 1 3. Prescribe user fees and charges.
- 2 4. Operate facilities and construct improvements.
- 3 5. If authorized by the members of the airport authority, exercise the
- 4 right of eminent domain in the names of the members.
- 5 6. Engage employees and consultants.
- 6 7. Enter into contracts, leases and development agreements.
- 7 8. Enter into agreements with this state, any political subdivision
- 8 of this state or the federal government.
- 9 9. Prepare and recommend annual operating budgets.
- 10 10. Borrow money and issue revenue and refunding bonds.
- 11 11. Sue and be sued.
- 12 12. Exercise incidental powers if necessary to the exercise of the
- 13 powers prescribed in this article and articles 6 and 7 of this chapter.
- 14 ~~B. A joint powers airport authority shall submit a written report~~
- 15 ~~annually to the joint legislative military airport reuse committee~~
- 16 ~~established by section 28-8528. The airport authority shall submit the first~~
- 17 ~~report one year after the date the airport authority is established. The~~
- 18 ~~report shall describe the activities of the airport authority.~~
- 19 Sec. 3. Repeal
- 20 Section 28-8528, Arizona Revised Statutes, is repealed.
- 21 Sec. 4. Section 41-1531, Arizona Revised Statutes, is amended to read:
- 22 41-1531. Designating military reuse zone; term; renewal
- 23 A. After executing a lease with a term of fifteen years or longer for
- 24 the use or occupancy of real property or improvements that are located on a
- 25 closed military facility WITH A RUNWAY THAT IS AT LEAST EIGHT THOUSAND FEET
- 26 LONG or after title to any part of a closed military facility WITH A RUNWAY
- 27 THAT IS AT LEAST EIGHT THOUSAND FEET LONG is transferred to this state or to
- 28 another public or private entity, the governor, after consulting with the
- 29 director of the department of commerce, may designate the property as a
- 30 military reuse zone. Only properties that were used for operational and
- 31 training purposes of the active uniformed services of the United States
- 32 qualify for consideration as a military reuse zone.
- 33 B. The governor shall set a termination date for the military reuse
- 34 zone that is not more than five years after the date the zone is designated.
- 35 During the last year before termination the governor may renew the military
- 36 reuse zone for one term of five years. Thereafter, the legislature and the
- 37 governor by joint resolution may renew the military reuse zone for additional
- 38 five year terms.
- 39 Sec. 5. Section 41-1533, Arizona Revised Statutes, is amended to read:
- 40 41-1533. Duties of department of commerce
- 41 The department shall administer this article and shall:
- 42 1. Monitor the implementation and operation of this article and
- 43 continually evaluate the progress made in the military reuse zone.

- 1 2. Assist an employer or prospective employer in a zone to obtain the
2 benefits of any incentive authorized by this article.
- 3 3. Submit an annual written report to the governor and to the joint
4 ~~legislative military airport reuse committee established by section 28-8528~~
5 evaluating the effectiveness of the program with respect to each zone,
6 stating the amount of foregone tax revenue due to the incentives offered
7 pursuant to section 41-1532, reporting any abuses and presenting any
8 suggestions to improve the program. The report is due on or before March 1,
9 beginning in the first full calendar year after the zone is established and
10 ending in the first full calendar year after the zone is terminated.
- 11 4. Adopt rules as necessary to administer this article.
- 12 5. Provide information regarding military reuse zones on request and
13 conduct informational and instructional seminars and training.
- 14 Sec. 6. Laws 1999, chapter 262, section 11 is amended to read:
15 Sec. 11. Delayed repeal
- 16 A. ~~Section 28-8528, Arizona Revised Statutes, relating to the joint~~
17 ~~legislative military airport reuse committee, is repealed from and after~~
18 ~~December 31, 2005.~~
- 19 B. ~~Section 30-723, Arizona Revised Statutes, relating to the joint~~
20 ~~legislative oversight committee on low-level waste, is repealed from and~~
21 ~~after December 31, 2003.~~


APPROVED BY THE GOVERNOR APRIL 12, 2001.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 12, 2001.

Passed the House February 14, 2001,

by the following vote: 58 Ayes,

0 Nays, 2 Not Voting

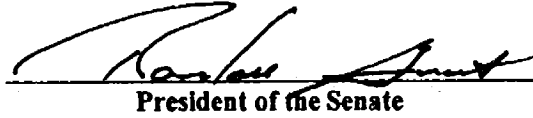

Speaker of the House

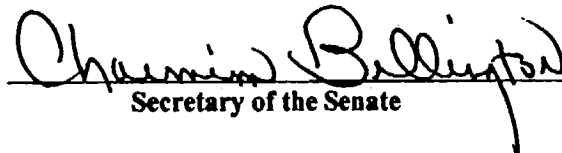

Chief Clerk of the House

Passed the Senate April 2, 2001,

by the following vote: 28 Ayes,

1 Nays, 1 Not Voting


President of the Senate


Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

 day of , 20 ,

at o'clock M.

Secretary to the Governor

Approved this day of

 , 20 ,

at o'clock M.

Governor of Arizona

H.B. 2075

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State
this day of , 20 ,

at o'clock M.

Secretary of State

HOUSE CONCURS IN SENATE
AMENDMENTS AND FINAL PASSAGE

April 5, 2001,

by the following vote: 53 Ayes,

0 Nays, 7 Not Voting

Jake Flake
Speaker of the House
Pro Tempore
Norman L. Moore
Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

6 day of April, 2001,

at 9:32 o'clock A M.

Sandra Ramirez
Secretary to the Governor

Approved this 12 day of

April, 2001,

at 10:55 o'clock A M.

Janice Hull
Governor of Arizona

H.B. 2075

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 12 day of April, 2001,

at 4:10 o'clock P M.

Betsy Bayless
Secretary of State